

REMARKS

Claims 14, 16, and 17 were pending in the present application when last examined. Claims 14, 16, and 17 remain pending in the present application.

§ 112 Rejection

The Examiner rejected claim 14 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner found that “Applicant added the claim language ‘the emitter comprising a first sidewall with a first reentry feature consisting entirely of a first undercut profile’” but “[p]aragraph 25 of applicant’s specification reads ‘as emitter layer 116A is not used to create the reentry features, emitter layer 116A is selectively etched to produce a more vertical sidewall than cap layer 118A.’” September 18, 2006 Office Action, p. 2.

Applicant submits that while emitter 116 no longer serves as the main reentry feature as in the prior art, it can serve as a secondary reentry feature that works with the main reentry feature created by emitter cap 118 to separate metals 22 and 24. It can be seen in all the figures of the present application that emitter 116 has an angled, instead of vertical, sidewall that forms an undercut profile. Accordingly, Applicant respectfully requests the Examiner to withdraw the § 112 rejection.

Claim Rejections

The Examiner appeared to reject claims 14 and 16 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,727,530 (“Feng ‘530”). The Examiner further appeared to reject claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Feng ‘530 in view of U.S. Patent No. 6,770,919 (“Feng ‘919”). Applicant respectfully traverses.

Neither Feng ‘530 nor Feng ‘919 discloses “an emitter … comprising a first sidewall with a first reentry feature consisting entirely of a first undercut profile.” Both Feng ‘530 and Feng ‘919 disclose emitters with vertical sidewalls.

Applicant notes one discrepancy in the labeling of the emitter in Feng ‘530. In Fig. 1 of Feng ‘530, a layer is labeled “E” and indicated as an emitter. If the layer in question is indeed the emitter, then Feng ‘530 fails to disclose a cap with an undercut profile. However, in Fig. 2, the very same layer is labeled 203-I and indicated as an emitter cap. If the layer in question is the emitter cap, then Feng ‘530 fails to disclose an emitter with an undercut profile. In either case,

Feng '530 cannot disclose both an emitter cap and an emitter with undercut profiles. For the above reasons, claim 14 is patentable over Feng '530 and Feng '919.

Claims 16 and 17 depend from claim 14 and are patentable for at least the same reasons as claim 14.

Summary

In summary, claims 14, 16, and 17 were pending in the above-identified application. For the above reasons, Applicant respectfully requests the Examiner to withdraw the claim rejections and allow claims 14, 16, and 17. Should the Examiner have any questions, please call the undersigned at (408) 382-0480x206.

Respectfully submitted,

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